

EX PARTE OR LATE FILED

92-77

FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, D.C. 20554

99 DEC 1994

IN REPLY REFER TO:

9401014

RECEIVED

DEC 30 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Honorable Mitch McConnell, Jr.
United States Senate
120 Russell Senate Office Building
Washington, D.C. 20510-1702

DOCKET FILE COPY ORIGINAL

Dear Senator McConnell:

Thank you for your letter on behalf of Raymond J. Sabbatine, Director of the Lexington/Fayette Urban County Government Division of Detention, regarding the Commission's Billed Party Preference (BPP) proceeding. On May 19, 1994, the Commission adopted a Further Notice of Proposed Rulemaking in this proceeding. I have enclosed a copy of the Further Notice and the press release for your information.

The Further Notice sets forth a detailed cost/benefit analysis based on available data that indicates that the benefits that BPP would provide to consumers exceed its costs. The Further Notice sought comment on this analysis and asked parties to provide additional, updated data to corroborate or refute it. In addition, the Further Notice asked for comment on whether alternatives to BPP might offer some or all of its benefits at a lower cost.

The Further Notice also specifically sought comment on whether prison phones should be exempt from BPP in the event that we mandate it. As proposed, however, BPP would not preclude prison officials from blocking inmate calls to specific phone numbers or from limiting inmate calling to a predesignated set of approved phone numbers in order to prevent fraud and abusive calls.

In earlier phases of this proceeding, the Commission received many comments on the costs and benefits of applying BPP to prison phones, including comments from providers of operator services to prison facilities and from families and friends of inmates. We are now evaluating the additional comments filed in response to the Further Notice.

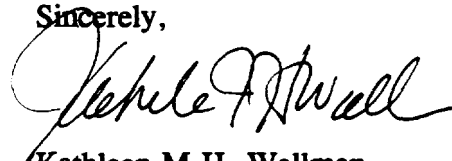
Thank you for your interest in this proceeding. Let me assure you that the Commission will carefully examine all of the comments submitted in response to the Further Notice, including additional empirical data regarding the benefits and costs of implementing

No. of Copies rec'd
List ABCDE

1 copy

BPP and the impact of BPP on telephone service to correctional facilities. We will adopt the BPP proposal only if we conclude that its public benefits outweigh its costs. If you have any further questions or would like additional information, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kathleen M.H. Wallman', written in a cursive style.

Kathleen M.H. Wallman
Chief, Common Carrier Bureau

MITCH McCONNELL
KENTUCKY

United States Senate

WASHINGTON, DC 20510-1702
(202) 224-2541

COMMITTEES
AGRICULTURE
APPROPRIATIONS
RULES
ETHICS (VICE CHAIRMAN)

CYB
92-77
1014

March 3, 1994

RECEIVED

DEC 30 1994

The Honorable Reed Hundt
Chairman
Federal Communications Commission
1919 M Street
Washington, DC 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Dear Chairman Hundt:

Mr. Raymond J. Sabbatine, Director of Detention for the Lexington/Fayette Urban County Government recently shared with me his views on the Federal Communications Commission's (FCC) Billed Party Preference (BPP) proposal.

Mr. Sabbatine outlines several pertinent points on how the BPP could impact inmate access to telephone services. I would greatly appreciate your review of his concerns. For your reference, I have enclosed a copy of Mr. Sabbatine's correspondence.

Thank you very much for your consideration. I look forward to your response.

Sincerely,


MITCH McCONNELL
UNITED STATES SENATOR

MM/rjb

Enclosure

***Division of Detention
Lexington/Fayette Urban County Government
200 Clark Street
Lexington, Kentucky 40507***

Raymond J. Sabbatine, Director of Detention

(606) 259-3476

February 18, 1994

The Honorable A. M. McConnell
United States Senate
Suite 120, Russell Senate Office Bldg
Washington, D. C. 20510

Dear Senator McConnell:

We have recently become aware of the effort being made within the Federal Communications Commission to implement the Billed Party Preference (BPP) proposal. We are concerned that the full effect of this proposal has not been investigated thoroughly. A more detailed inspection of the issues and effects of this proposal will reveal the negative consequences involved. While we oppose any effort to institute Billed Party Preference, we recognize that there is a need to regulate the interstate rates associated with operator service providers.

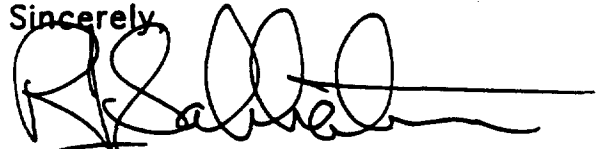
Our opposition is based on the following conclusions:

- This proposal will severely affect the ability of local correctional centers to provide the access to telephones that the inmate population desires and the families of the inmates demand.
- This proposal will remove the incentive for operator service providers to provide cost free inmate phone service to local correctional facilities by reducing competition.

- This proposal will eliminate a critical source of revenue used by local correctional administrators to provide inmates with programs and services that local government would otherwise not fund.
- This proposal will increase the manpower requirements necessary for monitoring inmate calls to prevent use of the phones for fraud and harassing purposes.

We hope that you will insist the Chairman of the Federal Communications Commission resolve these issues prior to taking any action on Billed Party Preferences. Thank you for your consideration of our request.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Sabbatine', with a long horizontal line extending to the right.

Raymond J. Sabbatine
Director of Detention